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NAVAJO TRANSITIONAL	)	
ENERGY COMPANY, LLC,	)	
	)	
Applicant-Petitioner,	)	
	)	
v.	)	Docket No. NOR 42178
	)	
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	
	)	

Pursuant to the Board’s June 23, 2023 Decision and Order (“Decision”), Navajo Transitional Energy Company, LLC (“NTEC”) hereby submits the following report:

1. There have not been any changes to the rail service status that NTEC identified in its first status report. BNSF originated 18 export trains at NTEC's Spring Creek Mine in the month of June, rather than the 22 BNSF informed the Board it could transport (and rather than the 23 the Board ordered BNSF to transport). To date, BNSF has moved four (4) export trains for NTEC in the month of July.

2. Given the BNSF service levels currently available to NTEC, it remains the case that additional trainsets do not appear to be needed. Accordingly, while NTEC will continue to monitor the market for additional trainsets it has not pursued any commitments for additional trainsets given these service levels.

Respectfully submitted,

NAVAJO TRANSITIONAL ENERGY
COMPANY, LLC

By: /s/ Daniel M. Jaffe
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July 7, 2023

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CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of July 2023, caused copies of the foregoing to be served via email on all counsel of record.

/s/ Andrew B. Kolesar III

Andrew B. Kolesar III

An Attorney for Applicant-Petitioner